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IN REPLY REFER TO:

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MAR -9 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Honorable George W. Gekas
U.S. House of Representatives
2410 Rayburn House Office Building
Washington, D.C. 20515

Dear Dear Congressman Gekas:

This is in reply to your letter of February 11, 1993, in which you inquired on behalf of several of your constituents regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). This Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

Those rules have been in place for over 20 years. While they have been amended on numerous occasions since that time, they nonetheless embody regulatory concepts based on yesteryear's technology and, unless changed, will stifle the growth and development of private land mobile radio technology and services, which are used primarily by local governments, public safety entities, and businesses to enhance their productivity. The Commission issued the Notice, therefore, to solicit comment from all interested persons on a wide variety of proposals designed to increase channel capacity, to promote more efficient use of these channels, and to simplify the rules governing use of these channels.

The proposals in the Notice reflect to a large extent concepts and proposals submitted in the initial inquiry stages of this proceeding. None of the proposals set forth in the Notice, however, are engraved in stone. Indeed, the proposals represent our best judgment at this stage of the proceeding on steps that must be taken to improve the regulatory climate for users of the private land mobile radio spectrum below 512 MHz. To this end, some of the critical issues that must be resolved relate to channel spacing, the amount of time provided to users to convert to new technical standards, how the 300 to 500 percent increase in channel capacity should be licensed, how the rules should be written to provide users technical flexibility, and whether the current nineteen radio services should be consolidated and, if so, how. I have enclosed for your information a copy of that part of the Notice that describes the numerous proposals.

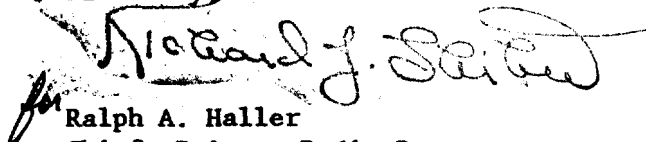
Your constituents are specifically concerned about the impact of these changes on radio control (R/C) hobby users. Enclosed is a discussion paper concerning our proposals for the 72-76 MHz band. In short, we expect there would be no adverse impact on R/C operations because of any proposal contained in the Notice.

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List A B C D E

We are, of course, sensitive to the concerns of both users of private land mobile radio spectrum and R/C hobbyists. We will, therefore, take into careful consideration all their comments. Your constituents' concerns will be fully evaluated when we develop final rules in this proceeding. As indicated in the Notice, we remain convinced that without significant regulatory change in radio operations in the bands below 512 MHz, the quality of communications in the private land mobile radio services will continue to deteriorate to the point of endangering public safety and the national economy.

We want to thank you for your interest in this proceeding. Comments on the proposals set forth in the Notice are due May 28, 1993, and Reply Comments are due July 14, 1993. We expect final rules to be issued in 1994. We urge your constituents to file formal comments on all aspects of the proposals.

Sincerely,

A handwritten signature in dark ink, appearing to read "Ralph A. Haller", is written over a circular stamp. The signature is fluid and cursive.

Ralph A. Haller
Chief, Private Radio Bureau

Enclosures:
Notice
Order
Discussion paper

cc:
Chief, PRBureau
Chief, LM&M Divison
Docket Files, Room 222
P&P Branch File (Pink)

CNTL NO - 9300597

DFertig/RShiben:/rb/lm:PR

Congressional

DUE OBC: 2-24-93

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AND REPLY FOR DOCKET FILE, ROOM 222.

CONGRESSIONAL CORRESPONDENCE TRACKING SYSTEM
02/16/93

LETTER REPORT

CONTROL NO.	DATE RECEIVED	DATE OF CORRESP	DATE DUE	DATE DUE OLA(857)
9300597	02/16/93	02/11/93	03/01/93	

TITLE	MEMBERS NAME	REPLY FOR SIG OF
Congressman	George Gekas	BC

CONSTITUENT'S NAME	SUBJECT
several	inq. comments on PR Docket 92-235

REF TO	REF TO	REF TO	REF TO
PRB/Lmm			
2-17-93			
DATE	DATE	DATE	DATE
02/16/93			

REMARKS:

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GEORGE W. GEKAS
17TH DISTRICT, PENNSYLVANIA

COMMITTEE ON THE JUDICIARY

SUBCOMMITTEES:

ADMINISTRATIVE LAW AND GOVERNMENTAL
RELATIONS—RANKING MEMBER

CRIME AND CRIMINAL JUSTICE

SELECT COMMITTEE ON INTELLIGENCE



Congress of the United States

House of Representatives

Washington, DC 20515-3817

February 11, 1993

REPLY, IF ANY, TO:

- PRB
92235
597*
- ☐ 2410 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-3817
(202) 225-4318
FAX (202) 225-8440
 - ☐ GOVERNOR'S PLAZA NORTH
BUILDING # 1, SUITE 302
2101 NORTH FRONT STREET
HARRISBURG, PA 17110
(717) 232-5123
FAX (717) 232-2828
 - ☐ ELIZABETHTOWN DISTRICT OFFICE:
SUITE 102-A
222 SOUTH MARKET STREET
ELIZABETHTOWN, PA 17022
(717) 367-8889
FAX (717) 367-8802
 - ☐ LEBANON DISTRICT OFFICE:
108 B MUNICIPAL BUILDING
400 SOUTH 8TH STREET
LEBANON, PA 17042-6794
(717) 273-1451
FAX (717) 273-1673

James H. Quello
Commissioner
Federal Communications Commission
1919 M Street, NW
Washington, D.C. 20554

Dear Mr. Commissioner:

The attached communication is submitted for your consideration, and to ask that the request made therein be complied with, if possible.

If you will advise me of your action in this matter and have the letter returned to me with your reply, I will appreciate it.

Very truly yours,

GEORGE W. GEKAS
Member of Congress

GWG:tes

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FEB 11 1993
FBI

February 1, 1993

HTA

The Honorable George W. Gekas
1519 Longworth House Office Bldg.
Washington, DC 20515

Dear Rep. Gekas

I am a Hobby retailer who specializes in Radio Controlled model aircraft.

It has been brought to my attention that the Federal Communications Commission is considering an action that will destroy my business and seriously affect thousands of hobby shop owners nationwide. The proceeding is PR docket 92-235. If adopted the new rule will greatly reduce the usability of frequencies currently assigned for R/C model use and increase the risk of accidents.

Our radio control frequencies are in the 72-76 MHz band. This band is primarily used for private land mobile dispatch operations. However, our R/C frequencies in this band are far enough apart from the land mobile frequencies that we have been able to share the band without either use interfering with the other.

The notice of proposed rule making in PR Docket 92-235 replaces part 90 of the rules with a new part 88. Part 90 allows for safe use of R/C aircraft and surface models by keeping 10 KHz spacing between fixed commercial users and frequencies used by R/C enthusiasts. The new part 88 will allow mobile users on frequencies within 2.5 KHz of frequencies available to us, eliminating safe use of at least 31 of the 50 channels on the 72 MHz band and 10 of the 30 frequencies on the 75 MHz band now used by hobbyists. In fact more channels will likely be affected.

When we operate our R/C models, we go to great lengths to assure the safety of the operators and bystanders and the protection of property. Many of our safety precautions involve the careful coordination and use of the radio control frequencies. If the number of usable frequencies is reduced as proposed by the FCC, the remaining frequencies will become congested and the margin of safety will be

I don't think it is wise of the FCC to make this new rule at the expense of R/C modelers. The FCC may not think we are as important as business users of radio but many of us have large investments in our hobby as an example one R/C plane may cost several thousand dollars. It is a billion dollar industry that must be saved from these detrimental FCC actions. The hobby provides many hours of enjoyment to hundreds of thousands of people and contributes to the advancement and development of the commercial aviation industry.

Please help me continue my business without interference by not allowing the FCC to carry out its proposal PR docket 92-235 for the 72-76 MHz band. We need your help urgently because the FCC has a deadline of Feb. 26, 1993 after which it may become more difficult to avoid this economic mistake.

Sincerely,



Henry M. Spangler

THE HIDDEN HANGAR

145 S. Hoernerstown Rd.

Hummelstown, PA 17036

U.S. House of REPS.
Washington, D.C. 20515

HM

Dear Mr. Gekas:

I have been interested in aviation for as long as I can remember. I am very active in a local club whose members enjoy constructing and operating radio controlled model airplanes.

I am very concerned about proposed rules that are currently under consideration by the Federal Communications Commission (FCC). The proceeding is PR Docket 92-235. If adopted, the new rules will greatly reduce the usability of frequencies currently assigned for model use and increase the risk of accidents and attendant liability for controlling model airplanes. I own 4 pieces of radio equipment that would be unusable if this frequency assignment is adopted.

Our radio control frequencies are in the 72-76 MHz band. This band is primarily used for private land mobile dispatch operations. However, our radio control frequencies in this band are far enough apart from the land mobile frequencies that we have been able to share the band without interfering with the other.

Now the FCC wants to create more land mobile frequencies by splitting them into narrower bandwidths and rearranging the band plan. As a result, many land mobile frequencies will move closer to the radio control frequencies and cause interference to radio control operations. I am told that of the 50 frequencies that are presently available for radio control of model airplanes, only 19 frequencies will be left if these new rules are adopted.

I do not think it is wise of the FCC to seek to improve the operating conditions of land mobile radio users at the expense of radio control modelers. The FCC may not think we are as important as business users of radios, but we have a considerable investment in our models and in our radio equipment. The hobby provides many hours of enjoyment to thousands of people like myself and contributes to the advancement and development of the commercial aviation industry.

Please help me continue the safe enjoyment of my pastime by **NOT** allowing the FCC to carry out its proposal for the 72-76 MHz band.

Sincerely,
Danny Corman
Danny Corman
Harrisburg, Pa.

1000 14th Street, N.W.
Office Building
Washington D.C. 20515

HA

Dear Mr.Gekas

I am a person very involved in the Hobby of constructing and operating radio controlled models in a very big way and been so for many years.I have Boats,Cars and Airplanes and i even built a special part in the house to construct this wonderful Hobby.And the Money involved is pushing nearly \$10,000.I am very active in a local club whose members enjoy constructing and operating radio controlled Boats,Cars and Planes.

I am very concerned about proposed rules that are currently under consideration by the Federal Communications Commission (FCC).The proceeding is PR Docket 92-235.If adopted,the new rules will greatly reduce the usability of frequencies currently assigned for model use and increase the risk of accidents and attendant liability for controlling model airplanes. Our radio control frequencies are in the 72 - 76 MHz band.This band is primarily used for private land mobile dispatch operations.However, our radio control frequencies in this band are far enough apart from the land mobile frequencies that we have been able to share the band without either use interfering with the other.

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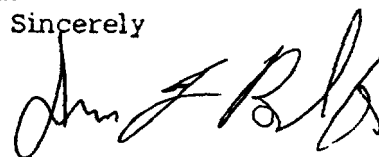
When we fly our model airplanes under radio control,we go to great lengths to assure the safty of the operators and bystanders and the protection of property.Many of our safty precautions involve the careful coordination and use of the radio control frequencies.If the number of usable frequencies is diminished as proposed by the FCC, the remaining frequencies will become congested and the margin of safty will be greatly decreased.

Please understand that many model airplanes have wing spans up to 10 feet and weigh as much as 30 or 40 pounds.The models themselves are expensive to build;but more to the point,they are capable of causing property damage, serious injury,or even death if radio interference causes the operator to lose control of the craft.We often fly our models at organized events and contests where hundreds of operators participate.We need the use of our full complement of radio frequencies in order to assure a safe flying environment.

I do not think it is wise of the FCC to seek to improve the operating conditions of land mobile radio users at the expense of radio control modelers.The FCC may not think we are as important as business users of radios,but we have a considerable investment in our models and in our radio equipment.The hobby provides many hours of enjoyment to thousands of people like myself and contributes to the advancement and development of the commercial aviation industry.

Please help me continue the safe enjoyment of my pastime by not allowing the FCC to carry out its proposals for 72-76 MHz band.

Sincerely



B Irwin F. Bender, Jr.
3786 Derry Street
Harrisburg, PA 17111

153 Kingswood Drive
Harrisburg, Pa. 17112
January 31, 1993

The Honorable George W. Gekas
2410 Rayburn
House Office Building
Washington, DC 20515

FEB 08 1993
HRA

Dear Mr. Gekas:

I am writing this letter to urge that you do not support NPRM PR Docket 92-235. This docket, if implemented, will severely curtail the Model Aircraft Radio Control Activity in the United States as we now know it. It plans to allocate radio frequencies for other purposes which are in the same frequency domain as those now used for the control of model aircraft by radio.

The modeling activity is an enjoyable outlet to a large number of people, but also has many beneficial things to recommend it in a society which prides itself on new innovations and promotes skills which help to keep America on the forefront of technology. One recent example is the USE OF RECONNAISSANCE DRONES DURING THE GULF WAR to get immediate assessment of naval bombardment damage on shore targets. It is a little-known fact that THE MILITARY PERSONNEL WHO CONTROLLED THESE AIRCRAFT WERE TRAINED BY CIVILIAN HOBBYISTS, who had become highly skilled in this area long before they were needed to train others.

The model aircraft in use by hobbyists may weigh over 40 pounds, and travel at speeds of over 100 mph. Modelers are very aware of the potential hazards involved in the event of loss of control, and will have to discontinue use of this portion of the radio spectrum if the proposed FCC docket becomes law. The purpose of the proposed frequencies is for portable personal locating devices at frequencies in the 72 Mhz band. This presents the worst kind of interference to the control of models, both because the new source is portable, and will be sporadic in use, giving no warning when it is to commence.

I implore you to use your offices to prevent the encroachment of this part of the frequency spectrum which has been allocated for model aircraft, for other uses. The Academy of Model Aeronautics, an organization in the U.S. that supports the hobby, now lists 165,000 active modelers as members. Any action you take on behalf of the very large radio control fraternity will be appreciated.

Respectfully,

Harry M. Capper
Harry M. Capper

930131-3/hmc

Day Phone (717) 231-3153
Night (717) 652-0868

The Honorable George W. Gekas
2101 North Front Street
Harrisburg, PA 17105

January 27, 1982

FEB 1 1982

HTA

Dear Mr. Gekas:

My nine year old son Christopher and I are enthusiastic model airplane builders and flyers. We compete in model soaring contests all over the East Coast. I have been active in modeling since I was a child. My son, who is extremely competitive, has been flying since he was six years old. I am president of the LIFT club of York and immediate past treasurer of the Harrisburg Area Flying Society. Both of these clubs actively promote model aviation and sponsor various community activities in pursuit of our hobby.

Recently it has come to my attention that the Federal Communications Commission (FCC) is proposing rulemaking which will dramatically impact on my use of existing radio equipment. The proceeding is PR Docket 92-235. If adopted, this new rulemaking will greatly reduce the usability of radio frequencies assigned for model use. The proposed rulemaking will likely increase the risk of accidents and attendant liability for controlling model airplanes. This implementation of the rulemaking is unnecessary as there are many viable options which do not encroach on or jeopardize existing users of the affected frequencies.

Specifically, model aircraft operate on the 72-76 MHz band. This band is primarily used for private land mobile dispatch operations. However, our assigned frequencies are far enough apart from other users that frequency interference has not been a problem.

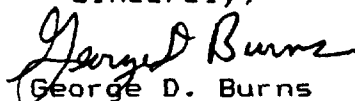
The FCC proposal is to establish additional land mobile frequencies by splitting the existing channels into narrower bandwidths and rearranging the band plan. The bottom line on this proposal is that the new frequencies will be too close to our existing radio control bands. The FCC does not see this as a problem because their frame of reference to conflicting bands is merely that one conversation or data transmission blocks out another and the conversation is repeated with no real consequence.

When interference occurs to a model aircraft, the aircraft is no longer under the control of its pilot and frequently results in a crash. Model airplanes are expensive. I own several whose replacement value is more than \$1,000. To me the FCC's proposal represents an unwarranted and unreasonable threat to my most cherished recreation. Because there are many administrative as well as technical alternatives to this proposal the FCC is unjustified in moving forward with this rulemaking.

I ask for your help in protecting my safe use of the radio bands authorized for controlling model aircraft. I am confident that if you conduct an inquiry into this rulemaking you will determine that there are viable, cost-effective alternatives which do not cause the dangerous interference that the existing proposal does. Please help me and all modeling enthusiasts.

Thank you for your attention.

Sincerely,


George D. Burns